

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
RENE VICTORIA RODRIGUEZ,	:	
	:	S1 22 Cr. 648 (JGK)
Defendant.	:	
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WHEREAS, on or about January 19, 2023, RENE VICTORIA RODRIGUEZ (the “Defendant”), and another, was charged in a Superseding Indictment, S1 22 Cr. 648 (JGK) (the “Superseding Indictment”), with conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349 (Count One); and conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count Two);

WHEREAS, the Superseding Indictment included a forfeiture allegation as to Count One of the Superseding Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds the Defendant obtained, directly or indirectly, as a result of the commission of the offense charged in Count One of the Superseding Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Superseding Indictment;

WHEREAS, on or about August 2, 2023, the Defendant pled guilty to Count One of the Superseding Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Superseding Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), a sum of money equal to \$5,608,154.82 in United States

currency, representing proceeds traceable to the commission of the offense charged in Count One of the Superseding Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$5,608,154.82 in United States currency representing the amount of proceeds traceable to the offense charged in Count One of the Superseding Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with co-defendant Ashly Camacho Soto (the “Co-defendant”) to the extent a forfeiture money judgment is entered against the Co-defendant in this case; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Superseding Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys Thomas S. Burnett and Amanda C. Weingarten, of counsel, and the Defendant and his counsel, Glenn A. Garber, Esq., that:

1. As a result of the offense charged in Count One of the Superseding Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$5,608,154.82 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offense charged in Count One of the Superseding Indictment that the Defendant personally obtained, for which the Defendant is jointly and severally liable with the Co-defendant, to the extent a forfeiture money judgment is entered against the Co-defendant in this case, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant RENE VICTORIA RODRIGUEZ, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Department of Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Department of Treasury or its designee shall be authorized to deposit the payment on the Money Judgment into the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

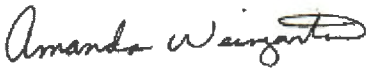
6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

THOMAS S. BURNETT
AMANDA C. WEINGARTEN
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-1064/2257


7/11/2023
DATE

RENE VICTORIA RODRIGUEZ

By: 

RENE VICTORIA RODRIGUEZ

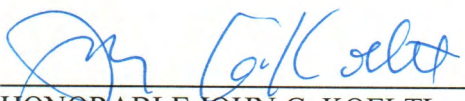
8/2/23
DATE

By: 

GLENN A. GARBER, ESQ.
Attorney for Defendant
233 Broadway, Suite 2370
New York, NY 10279

8/2/23
DATE

SO ORDERED:



HONORABLE JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE

8/2/23
DATE